

SOLANO COUNTY PLANNING COMMISSION

RESOLUTION NO. XX

WHEREAS, the Solano County Planning Commission has considered Amendment No. 1 to Use Permit No. U-91-17 of **D/K Dixon** for the continuation of a hazardous waste storage and transfer facility that collects, stores, and transfers used oil, oily wastewater, and waste antifreeze from off-site generators. D/K Dixon is proposing to add an additional waste transfer tank farm to receive and manage the same types of wastes and is proposing to install a new product antifreeze blending and storage unit, as well as a new pit-type truck scale. All proposed uses are within the established footprint of the operating business. The property is located in the Municipal Service Area/Urban Commercial area off Midway Road at 7300 Chevron Way in an "A-40" Exclusive Agricultural Zoning District, APN 0109-230-170, and;

WHEREAS, the Commission has reviewed the report of the Department of Resource Management and heard testimony relative to the subject application at the duly noticed public hearing held on March 15, 2018 and then continued to the regular meeting of April 19, 2018, and;

WHEREAS, after due consideration, the Planning Commission has made the following findings in regard to said proposal:

1. The establishment, maintenance, or operation of the proposed use is in conformity with the County General Plan with regard to traffic circulations, population densities and distribution, and other aspects of the General Plan.

The General Plan designation for the D/K Dixon property is Urban Commercial/Municipal Service Areas. Urban Commercial allows for commercial and non-commercial uses. The property is located within a Municipal Service Area (MSA) outside the city limits of Vacaville. Because of the MSA designation, permanent commercial uses cannot occur until the property is annexed into the city of Vacaville. The applicant is not proposing a new land use; the property has been used as a transfer station for petroleum products since 1978 and will continue to operate as a transfer station for new, used, and recycled oil, oily wastewater and antifreeze. As described in the above project description, the project is in compliance with the 2008 Solano County General Plan.

2. Adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

Vehicular access to the site will continue to be from Chevron Way, a public road located off Midway Road. The site has existing electrical power and the building plans will be reviewed and approved by the Solano County Building and Safety Division before a permit is issued. Grading and drainage plans will be reviewed and approved by the Public Works Engineering Division. The Solano Irrigation District supplies potable water to the site and the site maintains an on-site septic system.

3. The subject use will not, under the circumstances of the particular case, constitute a nuisance or be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

A Draft Initial Study and Negative Declaration was prepared and circulated by the Department of Resource Management. No potentially significant adverse environmental impacts are likely to occur with this project. Implementation of conditions of approval would prevent the project from

creating significant effects to the persons residing or working in, or passing through the neighborhood; nor would the conditioned project be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

BE IT, THEREFORE, RESOLVED, that the Planning Commission of the County of Solano does hereby approve Amendment No. 1 to Use Permit No. U-91-17 subject to the following recommended conditions of approval:

General

1. Approval is hereby granted to D/K Dixon for the continuation of the hazardous waste storage and transfer facility that collects, stores, and transfers used oil, oily wastewater, and waste antifreeze from off-site generators. Approval is also granted for the proposed addition of a waste transfer tank farm to receive and manage the same types of wastes (used oil, oily wastewater and waste antifreeze) and the proposed installation of a new project antifreeze blending and storage unit, as well as a new pit-type truck scale as in accordance with the plans and information submitted with Amendment No. 1 of Use Permit Application No. U-91-17 and approved by the Solano County Planning Commission.
2. The permittee shall take such measures as may be necessary or as may be required by the County to prevent offensive noise, lighting, dust or other impacts, which constitute a hazard or nuisance to motorists, persons or property in the surrounding areas.
3. No additional uses or new or expanded buildings shall be established or constructed beyond those identified on the approved development plans without prior approval of a new, revised, or amended use permit.
4. The premises shall be maintained in a neat and orderly manner and kept free of accumulated debris and junk.
5. If any cultural or tribal resources, including human remains, are discovered during construction, the applicant shall immediately cease construction and notify the Solano County Coroner if human remains are found or notify the State Native American Heritage Commission if tribal resources are discovered.
6. Failure to comply with any of the conditions of approval or limitation set forth in this permit shall be cause for the revocation of the use permit.
7. The use permit shall be limited to ten (10) years, April 19, 2028. After ten years, the applicant may approach the Solano County Department of Resource Management and the City of Vacaville for renewal options at that time.

Building & Safety Division

8. Prior to any construction or improvements taking place, a Building Permit Application shall be submitted as per Section 105 of the 2010 California Building Code, or the latest edition enforced at the time of building permit application. "Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert, or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit."

9. The building and any site improvements shall be designed using the 2016 California Building Standards Codes including the mandatory measures found in the 2016 California Building Code Chapter(s) 1,2,3,5,6,7,8, and A5 for Voluntary Measures. The building shall meet all the requirements for commissioning a Green Building due to the size exceeding 10,000 square feet. The commissioning information is found in Section 5.410.2 of the 2016 California Green Building Code (CalGreen). The building shall be designed by a licenses and/or registered architect/engineer who is knowledgeable in Green Building Codes.

10. Certificate of Occupancy "111.1 Use and Occupancy. No building shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the Solano County Building Official has issued a certificate of occupancy."

11. A geotechnical/soils report shall be required for any expansions to existing buildings or for the construction of new buildings.

12. Plans and Specifications shall meet the requirements as per Section 107 of the 2016 California Building Code. "Construction documents, statement of special inspections and other data shall be submitted in one or more sets with each permit application. The construction documents shall be prepared by a registered design professional where required by the statues of the jurisdiction in which the project is to be constructed. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional." Electronic media documents are permitted when approved by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provision of this code and relevant laws, ordinances, rules and regulations, as determined by the building official.

13. The site and all facilities shall meet all of the accessibility requirement found in Chapter 11B of the 2016 California Building Code. The designer is required to design for the most restrictive requirements between ADA Federal Law and the 2016 California Building Code. The Solano County Building Division will be reviewing the plans for the most restrictive requirements of the two. There shall be a complete site plan, drawn to scale and designed by a licensed architect reflecting all site accessibility.

14. All accessible paths of travel and parking areas shall be a hard-scaped surface and shall meet all of the worst case requirements between Chapter 11B of the 2016 California Building Code and the ADA Federal Law.

Environmental Health Division

15. The permittee shall modify their existing Hazardous Materials Business Plan (HMBP) by revising the chemical inventory, site diagram, emergency response plan, and employee training plan. The applicant shall revise their HMBP and submit the revisions in the California Environmental Reporting System. The applicant shall contact Dixon Fire and provide any necessary equipment and foam to respond to an incident involving a pool fire in or around the aboveground storage tanks at this facility.

16. The permittee shall verify with the Solano County Hazardous Materials Section the installation of the Piping and Instrument Diagram and their secondary containment drawings and specifications. Adequate overflow protection and a high level alarm system with emergency shut down mechanism in place are also required.

17. The permittee shall contact the California Regional Water Quality Control Board, Central Valley Region and US EPA Region IX, for any requirements for permitting of the proposed or future truck

wash rack facility with respect to Waste Discharge Requirements and possible Class V injection well standards.

18. Product storage shall be clarified for the seven tanks, each of 33,000-gallon capacity. The site plan shall include the mapping of the proposed tank locations, proposed buildings, proposed onsite sewage disposal system, proposed treatment system components and monitoring well locations.

19. If the permittee uses shop built tanks, they must install aboveground storage tanks designed to UL 142 standards that are installed pursuant to California Building Code and California Fire Code.

20. The permittee shall contact a professional engineer to review and if necessary, modify their Spill Prevention Countermeasure Plan to include the proposed increase of capacity as required by Title 40 Code of Federal Regulations Part 112 and contact US EPA Region IX for any other federal requirements.

21. Any new onsite sewage disposal design proposal shall include information as to existing underground piping and infrastructure to ensure that new septic system construction does not negatively impact the existing septic system, existing monitoring wells, and/or existing underground piping systems. The maximum capacity of the onsite sewage system shall be clarified with any design submittal application. Any onsite sewage disposal systems serving at least 20 people, operator must contact US EPA Regions IX to verify the need for a Class V Injection Well Permit.

22. The permittee shall inform the California Regional Water Quality Control Board, Central Valley Region, who has assigned case No. 480215 for this site information regarding the use permit amendment for any actions if necessary; including updating their Construction General Permit and their Storm Water Pollution Prevention Plan (SWPPP).

23. The permittee shall maintain permits as required through the State of California Water Resources Control Board, Division of Drinking Water, in coordination with the Solano Irrigation District – Stocking Ranch Potable Water System. The property is located within the Solano Irrigation District service area and is subject to the Rules and Regulations, assessments and charges of the District.

24. The permittee shall inform the California Department of Toxic Substances Control (DTSC) of the proposed use permit amendment to allow for review to determine if any further action or change in permitting is necessary by the DTSC.

25. D/K Dixon has a SWPPP on file with the Central Valley Regional Water Quality Control Board and will be updating their Construction Permit and SWPPP as part of the permitting process upon review and approval of the land use permit by the Solano County Planning Commission

Public Works Engineering Division

26. The permittee shall apply for, secure and abide by the terms and conditions of grading permit prior to any onsite grading. Public Works Engineering will require the submittal of a drainage plan showing all offsite and onsite improvements necessary to manage storm water issues related to this development.

27. The permittee shall apply for, secure and abide by the conditions of an encroachment permit for any planned or any existing driveway connections to Chevron Way that does not have an existing encroachment permit issued by Solano County. All driveway connections to public roads shall meet Solano County Road Improvement Standards and Land Development Requirements.

Solano Irrigation District

28. The subject property shall not be permitted to use more water than historical consumption for the site.

Dixon Fire Department

29. The proposed improvements do not appear to have any conflict with the District facilities.

30. All permits shall be approved by the Dixon Fire Department.

31. The water supply system may need to be updated for fire protection services.

32. Installation of the tanks shall be in compliance of the 2016 California Fire Code Chapter 57.

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Planning Commission on April 19, 2018 by the following vote:

AYES:	Commissioners	_____

NOES:	Commissioners	_____
EXCUSED:	Commissioners	_____

By: _____
Bill Emlen, Secretary